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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/801,416	03/15/2004	Paul C. Mioduski	62815.00002

SQUIRE, SANDERS & DEMPSEY L.L.P.
Two Renaissance Square
Suite 2700
40 North Central Avenue
Phoenix, AZ 85004-4498

CONFIRMATION NO. 1961

FORMALITIES LETTER



OC000000012839656

Date Mailed: 06/02/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity


- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

09/08/2004 SSITHIB1 00000105 193878 10801416

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



CERTIFICATE MAILING PURSUANT TO 37 C.F.R. §1.8

I, Lisa Mansur, hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: September 2, 2004

By Lisa Mansur

**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE**

Applicant(s): Mioduski et al. Docket No.: 62815.00002
Application No.: 10/801,416 Group Art Unit: 3739
Filing Date: March 15, 2004 Examiner: Not Yet Assigned
Title: HYPERTHERMIA TREATMENT SYSTEMS AND METHODS

TRANSMITTAL OF MISSING PARTS OF NONPROVISIONAL APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed on June 2, 2004 in the above-identified application, enclosed herewith are the missing parts needed to complete filing of the subject patent application.

1. Small entity Status

[x] Applicant asserts Small entity status under 37 C.F.R. §§ 1.9 and 1.27.

2. Fee Calculation

	Claims filed		Basic claims		Present Extra		Fees
Basic filing fee and Surcharge							\$130.00
Total Claims	22	minus	20	=	2	x \$ 18.00 =	\$0.00
Independent Claims	7	minus	3	=	4	x \$ 86.00 =	\$0.00
						Subtotal =	\$130.00

<input checked="" type="checkbox"/> Missing parts filed within first month after due date - add	+	110.00	
<input type="checkbox"/> Missing parts filed within second month after due date - add	+	420.00	
<input type="checkbox"/> Missing parts filed within third month after due date - add	+	950.00	
<input type="checkbox"/> Missing parts filed within fourth month after due date - add	+	1480.00	
<input type="checkbox"/> Missing parts filed within fifth month after due date - add	+	2010.00	
	Subtotal:		\$240.00
If "small entity" status box above is checked, enter half (1/2) of Subtotal and subtract	-		\$120.00
	TOTAL FILING FEE	=	\$120.00
If "assignment" box is checked, add recording fee:	+	\$ 40.00	\$40.00
	TOTAL FEE ENCLOSED	=	\$160.00

3. Enclosures (check as applicable)

- ☒ Notice of Missing Parts (copy)
- ☒ Executed Declaration and Oath
- ☐ Statement(s) of Small Entity Status under 37 C.F.R. §§ 1.9(c), 1.9(d), and 1.27
- ☐ Check for fees
- ☒ Assignment and Recordation Form Cover Sheet
- ☐ Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97-1.99 (with PTO Form 1449 and copies of cited documents)
- ☐ Other:

Extra copies of this letter:

- ☒ for charge to deposit account
- ☒ for Assignment

4. Manner of Payment

☒ Please charge Deposit Account No. 19-3878 in that amount of \$ 160.00. A duplicate copy of this sheet is attached.

☐ A check in the amount of \$ _____ is attached.

This statement does NOT authorize charge of the issue fee. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.18 (deficiency only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-3878 for which purpose a duplicate copy of this sheet is attached.

5. Assignment

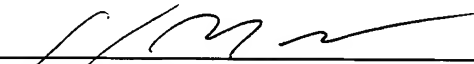
[x] An Assignment of this application is enclosed. Please record the Assignment and return the recorded Assignment to the undersigned attorney.

The Patent and Trademark Office is respectfully requested to forward the application for examination.

Respectfully submitted,

Date: September 2, 2004

By


Allen J. Moss
Reg. No. 38,567

SQUIRE, SANDERS & DEMPSEY L.L.P.
Two Renaissance Square
40 North Central Avenue, Suite 2700
Phoenix, Arizona 85004-4498
(602) 528-4839
292039